



INTERNATIONAL MOUNTAINEERING AND CLIMBING FEDERATION
UNION INTERNATIONALE DES ASSOCIATIONS D'ALPINISME

Anti Doping Policy & Procedure

For UIAA Ice Climbing competitions



Adopted by the UIAA General Assembly 11 October 2003 (Berchtesgaden, Germany) to take effect from 1 August 2004.

With various amendments including by the UIAA General Assembly 16 October 2004 (New Delhi, India) to take immediate effect; and when it was also agreed: "That the UIAA General Assembly gives power to the UIAA Board to approve interim amendments to the UIAA Anti Doping Policy and Procedure."

Last amendments approved by the UIAA Board on 18 February 2009 due to harmonization with 2009 World Anti-Doping Code.

1. Anti Doping Roles and Responsibilities

- 1.1 The UIAA adopts and implements the World –Anti-Doping Program in its entirety and is responsible for ensuring that all its Member Associations and Athletes respect and comply with the Code, all relevant International Standards and all the principles inherent to the Code.
- 1.2 Athletes participating in UIAA approved competitions, and other competitions run by UIAA member associations, are responsible for complying with the World Anti-Doping Code (“the Code”) and all relevant International Standards.. All athletes have a right to enjoy competitions that are properly organised under rules that aim to ensure fairness and prevent doping.
- 1.3 Member Associations are responsible for complying with the Code and the UIAA Anti Doping Policy and Procedure. Member Associations will make agreements in writing with athletes that confirms the athletes’ support for the Anti Doping Policy and Procedure and the other UIAA rules and regulations.
- 1.4 Member Associations enter athletes in UIAA competitions on the basis of an undertaking to comply with the Code and UIAA Anti Doping Policy and Procedure, which requires the Member Associations to be able to conduct appropriate disciplinary and appeals procedures and run education and prevention programmes for all athletes.
- 1.5 The UIAA competition bodies for Ice Climbing and Ski Mountaineering promote the Anti Doping Policy and Procedure and provide guidance to Member Associations on how to meet the standards set for anti doping procedures including the conduct of discipline and appeals and the promotion of education and prevention programmes for all athletes.
- 1.6 The UIAA Anti Doping Commission assists Member Association to implement the Code and the Anti Doping Policy and Procedure. The Anti Doping Commission is responsible for managing the UIAA’s responsibilities for the Code including:

Registered Testing Pool

Doping Violation Procedure

The current processes for the above are annexed to this Policy and Procedure.

- 1.7 The UIAA Therapeutic Use Exemption (TUE) Committee is responsible for the UIAA’s responsibilities under the Code for TUE.
- 1.8 Further references in this document to:



- 1.8.1 “UIAA competition bodies” means those bodies approved by the UIAA General Assembly to promote and administer competition sports recognised by the UIAA;
- 1.8.2 “Member Associations” or “associations” means a UIAA member participating in UIAA competitions;
- 1.8.3 “UIAA” means the collective entity including the competition bodies.
- 1.8.4 “Doping case” means any anti-doping rule violation under the Code (including any adverse analytical finding).
- 1.8.5. “Therapeutic Use Exemption (TUE)” means Therapeutic Use Exemption as defined by the Code
- 1.8.6. “Code” means revised 2009 World Anti-Doping Code.

2. Anti Doping Policy

- 2.1 The UIAA is committed to fair play, doping free sport and the principles of the Code. The UIAA has adopted the World Anti-Doping Code (Berchtesgaden, 11 October 2003); this includes the mandatory articles of the Code, Code amendments and all relevant International Standards.
 - 2.1.1 The UIAA has adopted the revised 2009 World Anti-Doping Code which was brought to force on 01 January 2009. In any case of contradiction between UIAA anti-doping rules and Code, Code will be relevant.
- 2.2 UIAA officials, representatives, Member Associations and athletes in UIAA organised or approved events are expected to conduct themselves in a manner that is appropriate for an international federation of sport and in accordance with the Anti Doping Policy and Procedure. Failure to observe the Anti Doping Policy and Procedure shall result in a disciplinary procedure and sanctions.
- 2.3 The aims of the UIAA’s Anti Doping Policy and Procedure are to:
 - 2.3.1 Promote drug free competitions in UIAA recognised sports.
 - 2.3.2 Develop fair and consistent anti doping procedures and regulations.



- 2.3.3 Assist Member Associations to meet their obligations to their national sports authorities and comply with relevant national legislation (such as in the field of contracts, human rights, and data protection).
- 2.4 Member Associations participating in and organising national and international competitions will ensure that its athletes comply with the Code; and are therefore required to:
- 2.4.1 Adopt and implement a policy, or official regulation, or amendment to the articles of association or constitution setting out the Member Association's adoption of the Code; and their support for drug free sport and a commitment to educate, inform and test athletes to confirm the drug free status of competitions.
- 2.4.2 Identify a responsible person and/or a group within the Member Association to be responsible and accountable for managing anti doping activities in accordance with the Code. Anti doping rules and procedures should be published and the implementation should be open and accountable. There must be written agreements with athletes that establish their clear consent to be subject to anti doping procedures including unannounced out of competition testing. Member Associations should promote their anti doping policy and run, promote or co-ordinate education programmes for athletes.
- 2.4.3 Have disciplinary procedures for doping cases arising from national competitions that comply with the Code, in particular Article 8 of the Code:
- 2.4.4 Refer to the UIAA office any doping case arising from any international competition:
- a) organised by that member association; and/or
- b) involving any athlete who is a member of that member association (wherever the competition took place)
- The UIAA office will refer this information to the UIAA Disciplinary Commission.
- 2.4.5 Publish and send to the UIAA office an annual report on anti doping activities in the form of annexe 1 by 31st January in each year (covering the 12 months ending on 31st December in the previous year). The UIAA office will send the report to the UIAA Anti-Doping Commission



3. Anti-doping rule violations

3.1 Definition of doping

Doping is defined as the occurrence of one or more of the anti-doping rule violations set out in 3.2 below.

3.2 Anti-doping rule violations

The following constitute anti-doping rule violations. The terms in *italics* below are defined in the Code

3.2.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*

- (a) It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their bodily *Specimens*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping violation under this Article.
- (b) Sufficient proof of an anti-doping rule violation under this Article is established by either of the following:
 - presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample*
 - presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed.

(c) Excepting those substances for which a quantitative reporting threshold is specifically identified in the *Prohibited List*, the detected presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping rule violation.

(d) As an exception to the general rule of this Article, the *Prohibited List* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

3.2.2 *Use* or *Attempted Use* of a *Prohibited Substance* or a *Prohibited Method*

- (a) It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part



be demonstrated in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

- (b) The success or failure of the *Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted* to be *Used* for an anti-doping rule violation to be committed.

3.2.3 Refusing, or failing without compelling justification, to submit to *Sample* collection after notification as authorized in these Anti-Doping Rules or otherwise evading *Sample* collection.

3.2.4 Violation of applicable requirements regarding *Athlete* availability for *Out-of-Competition Testing* set out in the *International Standard for Testing*, including:

- failure to file whereabouts information (a “Filing Failure”)
- failure to be available for Testing at the declared whereabouts (a “Missed Test”).

Any combination of three Missed Tests and/or Filing Failures committed within an eighteen-month period, as declared by IF or any other Anti-Doping Organization with jurisdiction over an Athlete, shall constitute an anti-doping rule violation.

3.2.5 *Tampering*, or *Attempting* to tamper, with any part of *Doping Control*.

3.2.6 *Possession of Prohibited Substances and Methods*

- (a) *Possession* by an *Athlete In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or *Possession* by an *Athlete Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* which is prohibited in *Out-of-Competition Testing* unless the *Athlete* establishes that the *Possession* is pursuant to a therapeutic use exemption granted in accordance with Article 4.3 (Therapeutic Use) or other acceptable justification.

- (b) *Possession* by *Athlete Support Personnel In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or *Possession* by *Athlete Support Personnel Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* which is prohibited *Out-of-Competition*, in connection with an *Athlete*, *Competition* or training, unless the *Athlete Support Personnel* establishes that the *Possession* is pursuant to a therapeutic use exemption granted to an *Athlete* in accordance with Article 4.3 (Therapeutic Use) or other acceptable justification.

3.2.7 *Trafficking* in any *Prohibited Substance* or *Prohibited Method*.



3.2.8 Administration or *Attempted* administration to any *Athlete In-Competition* of any *Prohibited Method* or *Prohibited Substance*, or administration or *Attempted* administration to any *Athlete Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* that is prohibited *Out-of-Competition*., or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any *Attempted* anti-doping rule violation.

3.3 Proof of doping

3.3.1 Burdens and Standards of Proof

UIAA and its *National Federations* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether UIAA or its *National Federation* has established an anti-doping rule violation to the comfortable satisfaction of the hearing body bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Rules place the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability except as provided in Code for "*Elimination or Reduction of the Period of Ineligibility for Specified Substances under Specific Circumstances*" and for "*Aggravating Circumstances Which May Increase the Period of Ineligibility*", where the *Athlete* must satisfy a higher burden of proof.

3.3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

- (a) *WADA*-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for laboratory analysis. The *Athlete* or other *Person* may rebut this presumption by establishing that a departure from the *International Standard* occurred which could reasonably have caused the *Adverse Analytical Finding*.
- (b) If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred which could reasonably have caused the *Adverse Analytical Finding*, then UIAA or its *National Federation* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.
- (c) Departures from any other *International Standard* or other anti-doping rule or policy which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* or other *Person* establishes that departures from another *International Standard* or other anti-doping rule or policy which could reasonably have caused the *Adverse Analytical Finding* or other anti-doping rule violation occurred, then UIAA or its *National*



Federation shall have the burden to establish that such departures did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

- (d) The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Athlete* or other *Person* to whom the decision pertained of those facts unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.
- (e) The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the tribunal) and to answer questions either from the hearing panel or from the *Anti-Doping Organization* asserting the anti-doping rule violation.

4. Anti Doping Procedures

4.1 Athlete Awareness

- 4.1.1 The UIAA competition bodies shall promote the Anti Doping Policy and make Member Associations aware of sources of information and advice published by the World Anti Doping Agency (WADA), the national anti-doping organisation of their country and the National Olympic Committees.
- 4.1.2 Member Associations shall ensure their athletes are made aware of the dangers of prohibited substances and how to avoid unintentional doping infringements; and shall obtain written consent from athletes for anti doping tests including unannounced out of competition testing.
- 4.1.3 Member Associations will keep up to date contact details of all competitors who compete at an international level and for the purpose of un-announced out of competition testing make this information available to the UIAA, WADA and, or the relevant national body for anti doping.

4.2 Prohibited Substances

Those substances that are prohibited by the WADA Prohibited List (as amended from time to time).

4.3 Therapeutic Use Exemptions (TUE)

- 4.3.1 Athletes who compete or wish to compete in international competitions and who want to apply for



a TUE must apply to the UIAA office. The UIAA office will refer all such applications to the UIAA TUE Committee.

4.3.2 The UIAA TUE Committee will deal with all such applications in accordance with the Code and all applicable International Standards.

4.4 Testing Procedure and Notification of Results

4.4.1 The UIAA competition bodies will require organisers of UIAA approved events to appoint a competent and authorised Sample Collection Authority (as defined by the Code) that is approved by the relevant government department, or the national anti doping organisation of their country or sports council, or National Olympic Committee, or the World Anti Doping Agency.

4.4.2 Member Associations (or their appointed organiser) hosting UIAA approved events (including master's events on the UIAA calendar) shall ensure that a competent and authorised Sample Collection Authority is appointed and the provision of the necessary assistance and facilities for the Sample Collection Authority to carry out procedures in accordance with the Code standards for doping control selection, the operation of the doping control station, and the transportation of samples for testing. The Member Association (or their appointed organiser) shall ensure that at least the winning athlete in each category is tested.

4.4.3 The authorised Sample Collection Authority will conduct its procedures in accordance with the Code.

4.4.4 The Member Association of an athlete with a positive test result arising from a national competition shall immediately initiate a disciplinary procedure against the athlete by informing him or her of the positive test result; and a copy of this information shall also be sent to the headquarters of the UIAA. A Member Association may seek assistance from the UIAA Disciplinary Commission in connection with any doping case.

4.4.5 In all disciplinary proceedings conducted by a Member Association concerning a doping case, the Member Association will send a Doping Violation Report in the form set out in the Annexe 2 to the UIAA office.

4.4.6 The Member Association of an athlete with a positive test result arising from an international competition will immediately send to the UIAA office a copy of the test result together with the full name and address of the relevant athlete. The Member Association will also provide any further information requested by the UIAA Disciplinary Commission.

4.4.7 The UIAA office will send any information that it receives under this policy only to the president of the UIAA Disciplinary Commission (except where otherwise indicated in this policy) and to WADA.



4.4.8 Subject to this policy and the Code, the UIAA and Member Association will treat all information concerning doping cases as strictly confidential.

4.5 Disciplinary Procedure

The UIAA and Member Associations will conduct disciplinary procedures as set down in 2.4.3 above and following recognised models of good practice. The UIAA disciplinary procedure is set out in the UIAA Disciplinary Rules.

4.6 Sanctions

4.6.1 The UIAA and Member Associations will apply sanctions to athletes who have committed anti-doping violations in accordance with the Code. The rules on sanctions in disciplinary proceedings taken by the UIAA are set out in the UIAA Disciplinary Rules.

4.6.2 A violation of the Anti-Doping Rules in connection with an *In-Competition* test automatically leads to *Disqualification* of the individual result obtained in that *Competition* with all resulting consequences, including forfeiture of any medals, points and prizes.

4.7 Appeals

The athlete, other Respondents, WADA, the athlete's national federation and the relevant national anti-doping organisation have a right of appeal and a right of further appeal to the Court of Arbitration in Sport. Details of these rights are set out in the UIAA Disciplinary Rules.

4.8 UIAA Rights

The UIAA reserves the following rights:

4.8.1 The right to be a party in disciplinary proceedings conducted by a member association.

4.8.2 The right to refuse international licences to competitors of member associations which do not have correct anti-doping procedures or do not apply them.

4.8.3 The right to appeal against any ruling or sanction made as a result of a disciplinary procedure conducted by a Member Association. In the event that the UIAA's appeal is not successful the UIAA may submit its case to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland. Swiss law shall govern the appeal to the CAS.

4.8.4 To test athletes from the UIAA Registered Pool out of competition. Athletes in the Registered Testing Pool will be invited to nominate an athlete representative to the Anti Doping Commission and be encouraged to help promote awareness about the dangers of doping in sport.



5. Code

World Anti-doping Code enclosed to this Rules is its integral part – Annexe 2.

A handwritten signature in blue ink that reads "Mike Mortimer".

Mike Mortimer
President

A handwritten signature in blue ink that reads "Nico de Jong".

Nico de Jong
Secretary General



Annexe 1: Doping Violation Report

This information is to be provided by the athlete's national federation by e-mail or fax to the UIAA office.

The UIAA may request further information from you.

Stage 1 – Notification of alleged violation

If there is an adverse analytical finding or other doping violation the following information is to be provided immediately when the national federation receives notice of the alleged violation.

- 1.1 Name and address of athlete
- 1.2 Date of birth of athlete
- 1.3 Name of national federation
- 1.4 Time and place at which alleged violation occurred
- 1.5 Nature of alleged violation and prohibited substance (if applicable)
- 1.6 Action taken by national federation and/or national sports bodies
- 1.7 Has the athlete been suspended?
- 1.8 Provide copies of the following documents:
 - Applicable disciplinary rules
 - Test report (if adverse analytical finding)
 - Written complaint or other document (if other violation)
 - Any decision sent to athlete (e.g. suspension)
 - Any Therapeutic Use Exemption

Stage 2 – B Sample analysis

If there is an adverse analytical finding the following information is to be provided immediately when the national federation receives the B sample analysis (if requested by athlete) or the time limit for athlete to request B sample analysis expires (if no request made).

- 2.1 Has the athlete requested a B sample analysis?
- 2.2 Date of expiry of time limit for athlete to request B sample analysis (if no request made)
- 2.3 Has the B sample analysis confirmed the A sample analysis?
- 2.4 Provide copies of the following documents (if applicable):
 - B Sample analysis
 - Any decision sent to athlete

Stage 3 – Disciplinary decision

The following information is to be provided immediately after the disciplinary decision has been made (this does



not include any appeal).

- 3.1 Date of decision
- 3.2 Was the violation proved?
- 3.3 Sanction imposed (if any)
- 3.4 Date of expiry of time limit to appeal (in the disciplinary rules)
- 3.5 Provide copies of the following documents:
 - The decision (which should include reasons for eliminating or reducing any period of ineligibility applied as a sanction)
 - If the UIAA model Disciplinary Rules were used, then you must also send the documents listed in those rules

Stage 4 – notification of appeal

The following information is to be provided immediately if the member federation receives notice of appeal from the athlete:

- 4.1 Date, time and place of any appeal hearing
- 4.2 Provide copies of the following documents:
 - Notice of appeal and any other documents received from the athlete
 - Appeal rules (if not included in the disciplinary rules)

Stage 5 – Appeal decision

The following information is to be provided immediately after the appeal decision has been made.

- 5.1 Date of appeal decision
- 5.2 What is the appeal decision?
- 5.3 Provide copies of the following documents:
 - The appeal decision

Note: If there is a further appeal to the Court of Arbitration for Sport, the UIAA will require information concerning the further appeal including the information required in stages 4 and 5 above.

Annexe 2: 2009 World Anti-Doping Code

Available from the WADA website or from the UIAA as a download:

http://www.theuiaa.org/anti_doping_rules_and_regulations.html

